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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,341	07/10/2003	Sumihiko Yagenji	505500-79	2749

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William Squire, Esq.  
Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart &  
Olstein  
6 Becker Farm Road  
Roseland, NJ 07068-1739

EXAMINER

CHEN, TIANJIE

ART UNIT PAPER NUMBER

2652

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/617,341

Applicant(s)

YAGENJI, SUMIHIKO

Examiner

Tianjie Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20030710</u> . | 6) <input type="checkbox"/> Other: ____.  |

## ***Non-Final Rejection***

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefansky et al (US 5,029,026) in view of Dubrow et al (US 4,900,877).

Claim 1; Stefansky et al shows a hard disk drive unit (Fig. 11; column, 5 line 10) having components including: magnetic disks 136, magnetic heads on 160, a disk driving unit 137 and an inherent controller, wherein: the components are accommodated in a case to which a cover 130 with gasket 152 fitted (Fig. 13B; column 10, line 47), wherein: the gasket made of elastic members since it can be squeezed in; the gasket 152 is pushed into the inside of the cover 130 (Fig. 13B) for the case so that the extending portions of the elastic members are fitted to the inner side surface of the cover for fixing the gasket.

Stefansky et al does not show that the gasket is cored, and the cored gasket including a core and elastic members; the core is sandwiched by the elastic members, and desired portions of the elastic members extend beyond the core.

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Dubrow et al shows a cored gasket in Fig. 1C including a core 1 and elastic members 2; the core is sandwiched by the elastic members, and desired portions of the elastic members 2 extend beyond the core; Dubrow et al further teaches that his gasket is designed for electromagnetic energy interference shielding (Column 1, lines 9-11).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to use the cored structure for providing electromagnetic energy interference shielding.

Claim 3, as described, the combination of Stefansky et al and Dubrow et al also shows a hard disk drive unit manufacturing method including steps of: accommodating components including magnetic disks, magnetic heads, a disk driving unit and a controller, into a case; preparing a cored gasket including a core and elastic members, wherein the core is sandwiched by the elastic members and desired portions of the elastic members extend beyond the core; pushing the cored gasket into the inside of a cover for the case so that the extending portions of the elastic members are fitted to the inner side surface of the cover for fixing the gasket; fitting the cover accommodating the gasket inside to the case so as to form a gas-tight space in which the components are accommodated.

3. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefansky et al in view of Dubrow et al as applied to claims 1 and 3 above, and further in view of Kishimoto (JP 10-331981A).

Claims 2 and 4, Stefansky et al and Dubrow et al shows a hard disk drive as described above, but fails to show a plurality of holes are formed on the side surfaces

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of the cover for the case so that the extending portions of the elastic members are fitted in the holes for fixing the gasket.

Kishimoto shows a gasket kit, wherein a plurality of holes 12 are formed on the side surfaces of the cover 8 (Fig. 1; Solution section) for the case so that the extending portions of the elastic members are fitted in the holes for fixing the gasket; and teaches that thus constructed cover is reusable in spite of being repeatedly disassembled and assembled (Abstract section).

It would have been obvious at the time the invention was made to one of ordinary skill in the art to add the holes for making the cover reusable.

#### ***Conclusion***

4. The prior art made of record in PTO-892 Form and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**TIANJIE CHEN**  
**PRIMARY EXAMINER**